

REMARKS

The Examiner's action dated October 15, 2008, has been received, and its contents carefully noted.

In order to advance prosecution, the claims have been amended to more clearly define the contribution of the invention over the prior art and claim 28 has been cancelled, with a portion of the subject matter of claim 28 having been incorporated into claim 27.

In the action, dependent claim 46 has been rejected as anticipated by Raffel, claims 27-34 and 41-44 have been rejected under 35 U.S.C. 103 on the basis of Raffel and Hjern and claims 35-40 have been rejected under 35 U.S.C. 103 on the basis of Raffel.

These rejections are all respectfully traversed, for reasons to be presented below.

It must be noted that dependent claim 46 was rejected as anticipated by Raffel, while the claim from which it depends, independent claim 41, was not rejected on this ground. Since claim 46 includes all of the subject matter of claim 41, the rejection of dependent claim 46, but not of parent claim 41, as anticipated by the reference creates uncertainty as to the Examiner's exact position. It would appear that if the rejection of claim 41 is overcome, claim 46 should be considered allowable.

With respect to the cited references of Raffel and Hjern, the Applicant wishes to emphasize the following:

The Raffel reference is limited to a cordless telecommunication system that comprises a cordless base

station and a cordless dual mode phone. It appears from the explanation of the various rejections that the Examiner considers Raffel's cordless base station to be analogous to access device (at a node), and Raffel's cordless phone/mobile station to be analogous to both the mobile device and non-mobile device according to the present invention.

Firstly, Raffel's cordless system cannot be compared to the access node according to the present invention.

Raffel's cordless system is a terminal (an end point device) in an access network; it is an equipment that typically belongs to a specific customer, while the present invention deals with an access node equipment, such as a DSLAM or an OLT, which typically handles hundreds or thousands of non-mobile end point devices. In other words, the present inventive solution handles hundreds and thousands of customers, not just one.

In the Raffel reference, the cordless base station should communicate with the cellular network. This means that there is a need for a special (non-conventional) cordless system for a specific customer, in addition to the dual-mode portable phone device required. Such an approach is expensive and impractical.

The present invention proposes that the network provider equipment (the access device such as a DSLAM, or an OLT located at an access node) be connected with a controller of a mobile network and be adapted to perform mediator functions (functions of a base station of the mobile network), which will be available for a plurality of non-mobile devices in the access network and for one or more mobile devices in the mobile network. It should be noted that the mobile network

does not require that any changes be performed for that purpose.

In view of the above, Raffel's cordless cellular base station and the access device according to the invention, which is a DSLAM or an OLT, are just "different animals".

In the amended independent claims 27, 35, 37 and 41, the access device is claimed explicitly as being a DSLAM or an OLT serving the whole access network, being another base station of the mobile network, and capable of providing the advanced service to a plurality of the non-mobile (and suitable mobile) end point devices.

Secondly, Raffel's cordless system cannot be identified with an end point device as contemplated by the present invention, since Raffel's cordless system is limited to a dual mode (cordless/cellular) terminal that "selects from ... cellular mode and cordless telephone mode". In the present invention, the main implementation is when the mobile device and the non-mobile device are two separate regular devices, and it is essential since such a solution does not require special expensive dual mode phones for obtaining the desired flexibility for a user. They may even have two different phone numbers (a mobile number and a non-mobile number). In the present application, the non-mobile terminal devices (end point devices) of a non-mobile access network are any devices, for example cordless phones or fixed ("normal", wireline) phones with "normal" phone numbers. The mobile device of the present application belongs to a mobile network and interacts with the access device/node.

Moreover, the invention makes it possible for a user to deliberately switch from a regular mobile device to a regular non-mobile device, and vice versa.

This option is now claimed in the amended claims 39, 43 and in new claim 47.

As an option only, the mobile device and the non-mobile device in the present invention may be one and the same DECT-like device, but it should be kept in mind that the DECT-like device is just a terminal device and not an access device/node of an access network. According to the invention, only the access device communicates with the controller of the mobile network. The terminal non-mobile devices only communicate with the associated access device. This, *inter alia*, also eliminates the risk of denial-of-service (DoS) attacks on the network provider's equipment.

Similarly to the Raffel reference, the Hjern reference:

- is limited to cordless communication systems, while the present invention is applicable also for "normal" phones ("fixed device") with "normal" phone numbers.

- is limited to a "portable terminal" (i.e., mobile phone) with dual mode ("capable of communication with the cordless and cellular communication systems") while the present invention is mainly focused for providing flexibility when switching between two "simple" phone devices, one belonging to the cellular world and one to the non-mobile world.

- does not describe/suggest any access device/node for mediating between the cellular world and the cordless world. The transfer between the cordless communication system and the cellular communication system is prepared by setting a three-party connection

via the dual-mode portable terminal (which is therefore expensive).

Thus, the novel, distinctive features of the present invention can be summarized as follows:

- A novel access device (node) such as a DSLAM or an OLT, with functionality of a regular base station of a mobile network, since it is in communication with a controller of the mobile network and is provided with new specific functions;

- The novel access device (DSLAM, OLT), owing to its novel functionality, allows transfer of a mobile communication session, even in progress, via either a mobile device or a non-mobile device, even in case when they are different devices, and even in case when they have different numbers;

- The transfer can be performed deliberately, i.e., be initiated by a user;

- The access device (DSLAM, OLT) is adapted to keep association between the mobile and non-mobile phone numbers;

- The access device (DSLAM, OLT), as a base-station, can be assigned a higher priority in the mobile network; and

- The access device is preferably in direct communication with the controller of the mobile network.

The advantages that have been achieved owing to the above features include the following:

The equipment at a customer's premises, his/her cellular and non-mobile phone devices, do not need to be changed;

The whole access network can be served by the novel functionality of the access node; and

Routing of the calls to the DSLAM, OLT or from the DSLAM, OLT to the non-mobile device or to the mobile device can be performed because the mobile network controller receives a report from the DSLAM/OLT (behaving as a base station) that it can handle the calls for a specific mobile number (which is associated both with a specific non-mobile device and, of course, with a specific mobile device). Routing of such calls is especially simplified when the DSLAM as a base-station is assigned a higher priority.

The attached amended claims define the above-mentioned novel distinctive features which are neither described nor suggested by Raffel or Hjern (separately or in combination).

Literal support for the feature, that the access device of the present application is an access network node comprising a DSLAM or an OLT, can be found in Fig. 1 (see access device 24), and in the original description (see par. [0060-0061] of the published application, providing a detailed description of Fig. 1, etc).

Literal support for the feature of initiating transfer of a call by a user can be found in paragraphs [0093, 0100], and in Figs 3, 4.

The other distinctive features are claimed in the original claims and disclosed in the specification.

Literal support for the feature that the access device is in direct communication with the controller of the mobile station can be found at least in Fig. 1 and in the accompanying description.

In view of the foregoing, it is requested that the prior art rejections be reconsidered and withdrawn, that the pending claims be allowed and the application be found in allowable condition.

If the above amendment should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

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